THE COURTS.

Curious Revelations in the Wishart Habeas Corpus Proceedings.

INTERESTING LIFE INSURANCE CASE,

Further Illustrations of the Comptroller's Contumacy.

A negro went before Commissioner Betts resterday and asked him to issue a warrant against a party who, he said, bad refused to sell him a plate of ice cream. The Commissioner did not entertain the case, stating that it did not come within the provisions of the Civil Rights bill.

Judge Brady, in Supreme Court, Chambers, branted a temporary injunction yesterday against the proprietors of the Hochery Clinton Garden, restraining them from giving further performances until the payment of their license fee.

The suit of Eugene A. Heath against Theodore P. Austin, which had been on trial for several days past before Judge Freedman, in Superior Court. Part 1, was terminated vesterday by a verdict for the defendant. The action was brought recover 10,000 shares of the Reath & Smith Maxutacturing Company. The counsel set up that the shares had been given in trust to the de fendant to secure certain claims against the com-

THE WISHART HABEAS CORPUS CASE. The examination in the case of Robert H. Wishart, held for extradition on a charge of forgery, was resumed yesterday before Judge Davis in the Court of Oyer Terminer. Quite a number of witnesses were examined, the prisoner being represented by Mr. Charles W. Brooke, and the prosecution by Assistant District Attorneys Rollins and

Captain Irving testified that he found fillt in Germantown, near Philadelphia; he went there accompanied by Detectives Doyle, Silleck, Dusenbury and two others; he arrested Hilt, but was not permitted to take him away; Hit was held to hall by a United States Commissioner in Philadelphia; afterward he was subposnaed to attend a case against Hit in Philadelphia on a charge of forgery; this was about the 25th of November, 1874; aid not advise Wishart to complain of Batcheler, adas Hit, to the United States authorities, charging him with forging United States bonds, United States currency or New York Central Railroad bonds; detailed several men from the detective office to watch the office of Hit, at No. 28 New street; they searched bits office subsequently and found forged United States and New York Central and Hudson River Railroad bonds and lorged fifty-cent currency stamps to the amount of \$17,000; they were hidden under the carpet; a copper plate was also yound in one of the drawers of a desk in the room; fad known Wishart about three years, and had during that time never heard anything derogatory to his character. not permitted to take him away; Hist was held to

to his character. Superintendent Walling testified that he was in-

Superintendent Wailing testined that he was informed in November has that there were spurious United States bonds being put upon the market, and that a charge was made at his office that J. E. Batcheler was forging railread bonds in New Street, in this city; search was made and forged bonds found in his office, No. 48 New street; the witness was informed by Captain Irving that the man Batcheler was Hilt, and that he was in Philadelphia; I ving was given instructions to work up the case.

Weshart's counsel offered in evidence an indictment against Hilt found in the United States Court at Philadelphia, charging him with forging a United States bond for \$6,600.

Detective Silieck swore that in 1874 he watched the office of Hilt, alias Bacheler, and finally on searching it found railroad and United States bonds, some of which were concealed under the carpet; he also went with the other officers to Philadelphia to arrest Hilt, and found him hed and took him into custody; but was not permitted to take him away, he being held by the United States Commissioner to answer a charge of forgery.

Officer Thomas Device testified that he was in the

gery.
Omcer Thomas Doyle testified that he was in the conner fnomas Doyle testified that he was in the company of the preceding witness when the office of filt, alias Batcheier, was searched; they found bonds, and a plate for printing filty cent currency motes; he was detailed to watch filt, alias J. E. Batcheler.

notes; he was detailed to watch Hill, alms J. E. Batcheler.
Commissioner Shields testified that Goorge F. Hill, alms Batcheler, signed a bond under an indictment against G. F. Hill as George F. Hill and principal in such indictment.

Betective Dusenbury testified that he knew both Wishart and Hill, and that he was detailed with other officers in 1874 to search the office of J. E. Batcheler & Co., No. 48 New street, and on that occasion Hill represented bimself as Batcheler, and witness identified him as a man he had oliten seen in Wall street in company with Jack Cantor, the noted forger, now in state Prison.

The janitor of the building in which Hill's, alias Batcheler's, office was, testified to his (Hill's) having applied to him to ront the office; he then gave his name as Batcheler, but was uhable to give any reference, but this was compremised by the payness of three months' rent in advance.

pensation demanded under such increase of pay was refused payment by the comptroller on the ground that it was illegal. Judge Daly overruled the defence, and directed verdicts for the various suitors for the amounts claimed, as follows:

James McNemony, \$333; J. B. Murraly, \$209; James Walah, \$330; Bernhard H. Martin, \$104; Mark Thomas, \$650; Constantine Dogolo, \$630, and Patrick Held, \$875. The plaintuffs were represented by Mr. William F. McNamara and the city by Assistant Corporation Counsel D. J. Dean.

MARINE COURT-PART 1. Before Judge Alker.

A VERDICT IN PAVOR OF THE CITY. Creggy vs. The Mayor, &c.-This was an action brought by a carman against the Corporation to recover the value of a horse and medical treatment to the animal, injured by falling into a mannole, which the plaintiff claimed was left open through the negligence of the defendant's officers. He testifies that on a morning in November last he was proceeding to his work, driving a team of horses and using proper precautions against accident, as he turned from Eleventh street into Greenwich, the off forefoot of one of his team went down into a manhole between the railroad track and curb, which had been left uncovered; went down into a manhole between the railroad track and curb, which had been left uncovered; that the other horse palled him out, when both hind feet went down, so injuring him that after eight weeks' treatment he was pronounced incurable and soid for \$5. The horse's value is set at \$350 and \$100 claimed for the attendance of a veterinary surgeon. The plaintiff's son, who was on the truck with him, corroborated his evidence as to proper look-out being kept. On the part of the defence the circumstances under which the cover was broken were shown and the diligence used in repairing it; that it was broken one afternoon and repaired about noon next day, and that in the meantime about a dozen barrels were used by the poince officers on duty to close the aperture, a new one being obtained as the old one was destroyed. The more important evidence, however, was that of a carman, who stood on the corner, and a cigar scaler, who testified positively that as the plaintiff approached be was not looking forward, but was turhed aside, seemingly occupied with some matter on his truck and that the lines were lying over the soat. Judge Alker cautioned the jury against the prejudice which was often manifested to ward corporations in actions at law, and charged them that if the plaintiff was wholly tree from negligence he was entitled to recover, but that, if he failed to exercise that care which was called for in the driver of a vehicle, and especially through the crowded streets of this city, and thereby contributed to the accident, a recovery could not be had. The jury rendered a verdict in favor of the defendant.

DECISIONS. SUPREME COURT-CHAMBERS.

By Judge Lawrence.

By Judge Lawrence.

Wright vs. Wright et al.—Motion for leave to amend complaint is granted.

Bayles vs. Kiersied; Kiersied vs. Bayles.—Memoransums for counsel.

Marsters vs. Delaney.—I shall not disturb the judgment entered in this case.

Schelly vs. Dielt.—Motion for a bill of partjculars is denied, with \$10 costs.

Anderson vs. Anderson.—Report of referee confirmed and judgment of divorce granted to the plaintiff.

The Nassau Bank vs. Cowles and Another.—If counsel desire to withdraw the application in this case the papers can be obtained from the Clerk in Circuit, Part 2.

Whalen vs. Burke.—The case must be sent back to the referee for a specific finding as to the value

Whalen vs. Burke.—The case must be sent back to the referee for a specific finding as to the value of the alleged extra work, and if from the evidence said value cannot be determined, the case should be reneard before the referee.

Hart vs. Petit.—The defendants. Murphy & Nesbit, may serve the amended bill of Darticulars on payment of \$10 costs of motion to the plaintiff, and on condition that they serve said amended bill within five days from this date. No postbonement of the trial to be had before the referee on account of this order.

Grane vs. Farnam.—The commissioner to whom the first commission was usued was so negligent in executing it that I do not deem it proper to

Grate vs. Fardnam.—The commissioner to whom the first commission was issued was so negigent in executing it that I do not seem it proper to send the commission tack to him in the face of the defendant's objections. A commission may be disaged to a new commissioner if the planniff desires it, in which commission the defendant may

SUPERIOR COURT-SPECIAL TERM.

Craig vs. Nye; Gienny vs. World Mutual Life Inshrance Company.—Orders granted.
Holorook, receiver, &c., vs. Orgier, &c.—Motion granted on payment of \$10 costs.
Parker vs. Harrison et al.—Ordered that the plaint of file security for costs. Order to be settled on notice.

plaist if he security for costs. Other to the connotines.

Lawrence et al., vs. Cabot et al.—Case and amendments settled.

Lustig vs. Lustig.—Motion to punish for contempt denied. Motion that this case be set down for trial this term denied. In this case the payment of alimony may be suspended until the action is tried. If it be destred by the parties to have a speedy determination of the action they can consent to an order of reference.

COMMON PLEAS-SPECIAL TERM.

By Judge Loew.
Cummings vs. Timbermann.—The motion is denied, but under the circumstances without costs.

Lincoln .vs. Burton.—Motion denied without costs. See memorandum.

Root et al., vs. Gage.—Motion granted.

Jacobs vs. Lichtenstein.—Application granted.

Jarvis et al., vs. Driggs et al.—Motion to place cause on special calendar of short causes granted.

COURT OF GENERAL SESSIONS.

Before Recorder Hackett.

of the Tenth precinct, was passing along Broome street and discovered that the glass door of No. 257 had been broken open. He rapped for assistance and alarmed the household. A thorough search was made over the bouse and traces of the burglar found on each landing. Finally he was discovered secreted in the cellar, buried in a heap of coal, with his boots off. He was identified by the police as a notorrous character, and Judge Smith committed him in default of \$1,500 ball.

ALLEGED EMBEZZLEMENT. Robert Porter, a bartender, employed at No. 31 Park row, was yesterday held for trial in \$1,000 on a charge of embezzling \$33 from his employer.

DARING ATTEMPT AT HIGHWAY BOBBERY. At noon yesterday, as Mr. Paul Richter, of No. 123 Forsyth street, was walking through Chrystle street, and when near the corner of Bayard street, he was suddenly attacked and knocked down by Henry Obermeyer. The thief then attempted to grab his watch. Officer Mullery, of the Tenth precinct, saw the occurrence and arrested Obermeyer after a short struggle. Judge Smith committed him in \$1,000 ball to answer.

UNITED STATES SUPREME COURT. TITLE TO BONDS AND COUPONS-GENERAL BUT-LER'S RULE IN NEW ORLEANS-A QUESTION OF MILITARY AND CIVIL AUTHORITY.

Washington, June 11, 1876.
The following opinions have been rendered by the Supreme Court of the United States:-

No. 1 (original). The State of Texas, complain-ant, vs. George W. White, John Chiles et al. —Pe-tition for a rule on John Chiles. —Mr. Justice Mitter delivered the opinion of the Court, in substance as

delivered the opinion of the Court, in substance as follows:

In the original decree in this case White and Chiles were perpetually enjoined from setting up any claim or tille to any of the bonds or coupons attached to them, which were the subject matter of the suit. (Bonds known as Texas Indomnity bonds, issued to the State by the Chiled States, and solid the case show that the purpose of the suit was to establish the title of the State to these suit was to establish the title of the State to these bonds, and to free it from the embarrassment of the claim of the defendants. All parties to the suit was to establish the title of the State to these bonds, and to free it from the embarrassment of the claim of the defendants. All parties to the suit were, therefore, bound by the decree as to the title, and because Chiles was the owner, or now claims to be the owner, through a transaction not set up in his answer, he is not the less concluded and bound to obey the above injunction. Notwithstanding he how asserts a different title, or source of title, held by him when the suit was brought, from the one imputed to him in the suit and detended by him, he is it a contempt of court in setting up and seeking to enforce this claim. Punishments for contempt of contr have wears peets, namely—appect shown to it or its orders. 2. To compet the performance of some order or decree of the Court, which it is in the power of the pasty to perform and which he refuses to obey. In the present case there is no part of the original decree watch Chiles can perform which remains unswented, and no additional order or decree can be made for him to perform in this proceeding for contempt. The Court, therefore, sentences him to a fine of \$250 and costs, for his contempt in sotting up a claim of title to seventy-six of the bonds mentioned in the decree can be made for him to perform in this proceeding for contempt. The Court was a fine of the court of th

The pattern of the insuling in with one of the control of the party of the insuling in which the control of the party of the interior is the control of the party of the interior of the party of the pa

the infegments the Court may have transcended its furcions has been mid and the states. It our ophilos the plainair has been each one that, it our ophilos the plainair has been each on the states in our philos the plainair has been each on the plainair has been each of the constitution and laws of the United States. It there is any error in the record it is one of which this Court can take no cognizance. The judgment is affirmed. The commonwealth of virginia, in an act of her for the Southern District of Himols. Mr. Justice Field delivered the opinion of the Court, of which the following is an abstract:—

The Commonwealth of Virginia, in an act of her the Southern passed on the 20th of October, 1985, autorizing the obligators in Court of the Court o

BOARD OF POLICE.

ADOPTION OF THE NEW RULES-CAPTAIN WIL-LIAMS AGAIN IN TROUBLE-POLICE BRU-

At the meeting of the Board of Police yesterday the Committee on Rules and Discipline reported back, with favorable recommendation, the amendments to the rules referred to them at a previous meeting, and the same were adopted, to take

The rules, as amended, read as follows:-

effect forthwith.

The rules, as amended, road as follows:—

Rule 99.—Preliminary examinations for appointments on the force shall be held by the Chief Clerk in his office on Wedgesday of each week. Evidence of naturalization and of honorable discharge from the army or many shall then be produced.

Rule 101.—Any applicant for appointment as patrol man who presents to any Commissioner satisfactory evidence of qualifications, caoacity and finess to exercise the powers and perform the duties of patroliman, may by such Commissioner be permitted to appear before the Committee of Surgeons for examination as to his health, physical condition and ability to perform the services required of a patroliman. The Committee of Surgeons shall subject such candidate to a discrease health and an exhibition of superior innectant and physical development, rejecting all who rail below this standard and holding all deable in favor of the department, the candidate to desire the second and holding all deable in favor of the department, the candidate to deable and favor of the department, the candidate to deable and favor of the department, the candidate of deables of the standard of the standard performance, resecting all who rail below this standard and holding all deables in favor of the department, the candidate of deables of the standard of the second of the

Yesterday afternoon a respectable looking boy about sixteen years of age, named John C. Fifz-patrick, accompanied by his mother, called on Superintendent Walling and preferred charges against Captain Williams, of the Fourth precinct. The adidavit made out by the complainant set forth that Captain Williams procured a warrant for his arrest under pretence that he had broken a

forth that Captain Williams procured a warrant for his arrest under pretence that he had broken a window or door in a larger beer saloon in the Fourth ward, and locked him up over night. On being taken to court the next day the bog was promptly discharged by the magistrate.

Mrs. Fitzpatrick, when reciting the story resterday afternoon, appeared to feel very keenly the indignity heaped upon her son, whose reputation, she claims, is above suspicion. Captain Williams, she slieges, knew that her son was not guilty of the charge, and he caused his arrest solely through mailce. The case will be called up next week.

Altred Smith, residing at the corner of Roosevelt and South streets, made a charge yesterday afternoon at Headquarters of assault and battery against Officer McBride, of the Fourta precinct. The company with some friends when officer McBride came up, and, in a surly tone said to Smith, "You are the man that said you were going to lay me out." Smith denied having used suca language, and the officer ordered imm away. Not moving fast enough to suit the policeman the inter struck nim three times on the head with his club, afterward arresting him. Smith was locked up in the Oak street station house over night, the charge being assault on the officer, which, he declares, is entirely unfounded, and the next morning diacharged by Jistice Ribberth at the Tombs.

McBride is the policeman who figured so prominently in the Maxwell swindling case, being the officer who spent the hight in druking salesons with the latter. The case will be called up at a future day.

WALL STREET NOTES.

A FAILURE IN WOOL-REPORTED CONFERENCE OF BAILWAY MAGNATES.

The failure was reported on the street yesterday of Strang Holland Brothers, wool dealers, No. 142 Duane street, ERIE announces its intention to reduce passenger fares

during the coming summer months.

DEATH ON THE STOCK EXCHANGE.

The death of Mr. Augustus B. Mills was reported yesterday on the Stock Exchange, provoking many expressions of feeing from his forner associates. Hes death was sudden. The usual action will be taken.

THE REVENUE FRAUDS.

Brief History of the Recent Customs Discoveries.

called Dim, seemed several times on the point of rebelling against his superior. Walk Under the Ground did not wish to leave the Republican country, and although his chief was reluctant to part with his old bunting grounds, still he knew it was nacious to contend against the government, which declared they must go, and had already brought its troops dpon the ground to enforce its orders. Spotted Tail used eyery argument to convince his licutenant of the folly of resistance, but Walk Under the Ground was suiten and would not be convinced.

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